

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICENTE DE LAO-OLVERA,
a/k/a Gordo, and
JOSE PABLO BOJORQUEZ-QUEVEDO,
a/k/a Nitro

Defendants.

8:13CR286

PRELIMINARY ORDER OF
FORFEITURE

This matter comes on before the Court upon the United States' Motion for Issuance of Preliminary Order of Forfeiture (Filing No. 85). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. The Defendants have entered into Plea Agreements (Filing No's. 57 and 78), whereby they have agreed to enter pleas of guilty to Count I and the Forfeiture Allegation of said Superseding Indictment. Count I charged the Defendants with conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846. The Forfeiture Allegation charged the Defendants with using the following properties to facilitate the commission of the conspiracy and/or said properties were derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

- a. \$150,000.00 in United States currency seized from Jose Pablo Bojorquez-Quevedo, a/k/a Nitro, on August 2, 2013.

- b. \$4,840.00 in United States currency seized from Vicente De Lao-Olvera, a/k/a Gordo, on August 1, 2013.
- c. 2005 Chrysler 300C, VIN 2C3AA63H75H123033, registered to Petra Vega.
- d. 2013 Ford F150, VIN 1FTFW1ET2DFC34595, registered to Petra Vega.
- e. 2003 Mercedes Benz E320, VIN WDBUF65J13A159806, registered to Hortencia Quintana Olvera.
- f. 2008 Dodge Nitro, VIN 1D8GU28K68W137295, registered to Jose Pablo Bojorquez.
- g. Jimenez Arms Inc., 9mm handgun, SN 204605.
- h. .38 caliber HWM revolver, SN 1513594.
- i. Springfield XD 40 handgun, SN M6126390.
- j. Romarm, AK-47, SN 1984PF5559.
- k. Davis .32 caliber handgun, SN 527779.
- l. One black rifle case.
- m. Miscellaneous ammunition.

2. By virtue of said plea of guilty, the Defendants forfeit their interests in the properties, and the United States should be entitled to possession of said properties, pursuant to 21 U.S.C. § 853.

3. The United States' Motion for Issuance of Preliminary Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The United States' Motion for Issuance of Preliminary Order of Forfeiture is hereby sustained.

B. Based upon the Forfeiture Allegation of the Indictment and the Defendants' pleas of guilty, the United States is hereby authorized to seize the following properties:

1. \$150,000.00 in United States currency seized from Jose Pablo Bojorquez-Quevedo, a/k/a Nitro, on August 2, 2013.
2. \$4,840.00 in United States currency seized from Vicente De Lao-Olvera, a/k/a Gordo, on August 1, 2013.
3. 2005 Chrysler 300C, VIN 2C3AA63H75H123033, registered to Petra Vega.
4. 2013 Ford F150, VIN 1FTFW1ET2DFC34595, registered to Petra Vega.
5. 2003 Mercedes Benz E320, VIN WDBUF65J13A159806, registered to Hortencia Quintana Olvera.
6. 2008 Dodge Nitro, VIN 1D8GU28K68W137295, registered to Jose Pablo Bojorquez.
7. Jimenez Arms Inc., 9mm handgun, SN 204605.
8. .38 caliber HWM revolver, SN 1513594.
9. Springfield XD 40 handgun, SN M6126390.
10. Romarm, AK-47, SN 1984PF5559.
11. Davis .32 caliber handgun, SN 527779.
12. One black rifle case.
13. Miscellaneous ammunition.

C. The Defendants' interests in the aforementioned properties are hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The aforementioned properties are to be held by the United States in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the properties in such manner as the Attorney General may direct, and notice that any person, other than the Defendants, having or claiming a legal interest in any of the subject properties must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the properties, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the properties subject to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 23rd day of May, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Court